



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Revenue

Subject of possible rule making: WAC 458-20-273 Renewable Energy System Cost Recovery (Rule 273) – This rule explains the cost-recovery incentive program for renewable energy systems.

Statutes authorizing the agency to adopt rules on this subject: RCW 82.32.300 and 82.01.060

Reasons why rules on this subject may be needed and what they might accomplish:

The Department of Revenue is considering an amendment to Rule 273 to identify the Administrative Procedures Act appeals rights to a determination by the Department regarding a revocation or denial of approval to:

- (1) certify a renewable energy system for eligibility in the incentive payment program; or
- (2) certify a module, inverter, or blade as manufactured in Washington for purposes of increased factors in calculating the amount of incentive payments.

The Department is also considering:

- Incorporating additional updates and clarifications in the rule; and
- Recognizing Senate Bill 5526 (Chapter 179, Laws of 2011), which amended RCW 82.16.110 through RCW 82.16.120 to add solar stirling converters manufactured in Washington to the list of qualified renewable energy devices or components that receive enhance incentive payments for a system's production of "customer-generated electricity."

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study

☒ Other (describe) Parties interested in this rule making may contact the individual listed

below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of possible rule changes is expected to be available by July 27th for viewing and printing on our website at: <http://dor.wa.gov/content/FindALawOrRule/RuleMaking/agenda.aspx>. Written comments on and/or requests for copies of the rule may be directed to: Mark E. Bohe, Interpretations and Technical Advice Division, P. O. Box 47453, Olympia, WA 98504-7453; e-mail: markbohe@dor.wa.gov; phone: (360) 534-1574.

Public meeting location:

Capitol Plaza Building
Fourth Floor, Executive Conf. Rm.
1025 Union Avenue SE
Olympia, Washington 98501

Assistance for persons with disabilities:

Contact Martha Thomas no later than 10 days before the meeting date. TTY 1-800-451-7985 or (360) 725-7497.

Date: August 30, 2012 **Time:** 10:00 AM

Date

July 19, 2012

Name (type or print)

Alan R. Lynn

Signature

Title

Rules Coordinator

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STATE OF WASHINGTON
FILED

DATE: July 19, 2012

TIME: 4:58 PM

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